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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/068,414	FUJII ET AL.	
	Examiner	Art Unit	
	BENIYAM MENBERU	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 December 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-9,11-16 and 18-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-9,11-16 and 18-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments, see Remarks, filed December 11, 2009, with respect to the rejection(s) of claim(s) 1-3, 5-9, 11-16, and 18-20 under U.S. Patent No. 5488483 to Murayama in view of U.S. Patent No. 7061653 to Kohri further in view of U.S. Patent No. 6714315 to Yoshida further in view of U.S. Patent No. 6614551 to Peek have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of U.S. Patent No. 6289137 to Sugiyama et al.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-3 and 5-6 are rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. While the claims recite a series of steps or acts to be performed, a statutory "process" under 35 U.S.C. 101 must (1) be tied to another statutory category (such as a particular apparatus), or (2) transform underlying subject matter (such as an article or material) to a different state or thing (Reference the May 15, 2008 memorandum issued by Deputy Commissioner for Patent Examining Policy, John J. Love, titled "Clarification of 'Processes' under 35 U.S.C. 101" – publicly available at USPTO.GOV, "memorandum to examining corp"). The instant claims

neither transform underlying subject matter nor positively tie to another statutory category that accomplishes the claimed method steps, and therefore do not qualify as a statutory process. In order for a process to be "tied" to another statutory category, the structure of another statutory category should be positively recited in a step or steps significant to the basic inventive concept, and NOT just in association with statements of intended use or purpose, insignificant pre or post solution activity, or implicitly.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-3, 5-9, 11-16, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5488483 to Murayama in view of U.S. Patent No. 6289137 to Sugiyama et al further in view of U.S. Patent No. 6714315 to Yoshida further in view of U.S. Patent No. 6614551 to Peek.

Regarding claim 1, Murayama '483 discloses an image sending method comprising the steps of:

selecting and setting a sending mode for sending image data from plural types of sending modes (column 5, lines 43-67; column 6, lines 1-22; Figure 6, step s23; G4

mode or color mode), the plural types of sending modes respectively relating to different transmission protocols (column 5, lines 38-42; column 5, lines 54-57, lines 63-65; column 6, lines 29-31, lines 49-52);

selecting and setting an index of an image quality for the image data to be sent (column 1, lines 26-39; Quality is related to level of resolution and type of quantization table used for the JPEG protocol. Thus selection of quantization table implies selection of quality for image. Further in column 6, lines 58-67; column 7, lines 1-11, **index of an image quality selection** can be accomplished using input 42 as shown in Figure 7 for the image transmission. Thus resolution can be selected depending on the **index of an image quality selection** (quantization table) as shown in Figure 4 (column 6, lines 15-22, 27-31, 33-41; see steps s31, s32, s34, s35) from plural indices of the image quality common to the plural types of sending modes (Figure 2, shows standard/precision **index of an image quality selection** that is available in both G4 and color sending modes as shown in Figure 6, wherein in steps s23 when sending mode is G4, the standard or precision **index of an image quality selection** option is available in step s24 and when color sending mode is selected in S23, standard or precision **index of an image quality selection** option is also available in step s29);

setting a resolution corresponding to the selected index of the image quality and the selected sending mode (In Figure 6, selecting the G4 sending mode in s23 results in two possible resolution (in step s25 and s27) depending on the **index of an image quality selection** in step s24 (column 5, lines 44-46, 51-53; column 6, lines 10-15, 32-35, 40-44, 61-65); selecting the color sending mode results in different resolution

selection depending on **index of an image quality selection** in s29 (column 6, lines 7-44; column 4, lines 15-55); column 7, lines 1-11, **index of an image quality selection** can be accomplished using input 42 as shown in Figure 7 for the image transmission; resolution can be selected depending on the image quality (quantization table) selection as shown in Figure 4 (column 6, lines 15-22, 27-31, 33-41; see steps s31, s32, s34, s35)); and sending the image data of the selected resolution by the selected sending mode (column 5, lines 54-57; column 6, lines 15-22);

wherein the resolution corresponding to the index of the image quality and the sending mode differs from one sending mode to another (in Figure 6 when **sending mode "G4"** is selected in step s23 and "standard" **(index of image quality)** is selected in step s24, the resolution is **200x200** (column 5, lines 43-50); when **sending mode "color"** is selected in step s23 and "standard" **(index of image quality)** is selected in step s29, the resolution is set to **400x400** in step s31 (column 5, lines 65-67; column 6, lines 7-22); thus for a given quality such as "standard", resolution differs from G4 sending mode (**200x200**) to color sending mode (**400x400**)) and differs from one image quality to another (in figure 6 when sending mode "G4" is selected in step s23, and **quality "Standard"** is selected in step s24, the resolution is **200x200** and when **quality "Precision" (index of image quality)** is selected in step s24, the resolution is set to **"400x400"** in step s27; (column 5, lines 43-50, 59-65); thus the resolution differs from "Standard" quality to "Precision" quality.). However Murayama '483 does not disclose wherein the resolution corresponding to the index of the image quality and the sending

mode differs from one index of the image quality to another in each of the plural types of sending modes.

Sugiyama et al '137 discloses wherein the resolution corresponding to the index of the image quality and the sending mode differs from one index of the image quality to another in each of the plural types of sending modes (column 14, lines 54-63; selectable "transmission modes" from "memory transmission mode" and "direct transmission mode"; column 14, lines 64-67; column 15, lines 1-5; column 17, lines 31-55; When "no" in step s1301 (not memory transmission mode which means **direct transmission mode**), in step 1303, one of standard, fine, or super fine index of image quality is selectable having corresponding resolution value; column 18, lines 9-20; when "yes" in step 1301 (**memory transmission mode**), one of standard, fine index of image quality is selectable having corresponding resolution value; Since the corresponding resolution values are different for each of standard, fine, super fine index of quality (column 15, lines 1-5; 97.79 dpi, 195.58 dpi, and 391.16 dpi), the resolution values are different for each index of image quality in each of the transmission modes (either **direct transmission mode** or **memory transmission mode**)).

Having the system of ***Murayama '483*** and then given the well-established teaching of ***Sugiyama et al '137***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Murayama '483*** as taught by ***Sugiyama et al '137***, since ***Sugiyama et al '137*** stated in column 15, lines 10-20; column 17, lines 42-50, such a modification would provide resolution selection in agreement with the capability of the destination side in different transmission modes.

However Murayama '483 does not disclose wherein the upper limits of resolutions corresponding to the plural types of sending modes vary from one sending mode to another.

Yoshida '315 discloses wherein the upper limits of resolutions corresponding to the plural types of sending modes vary from one sending mode to another (column 7, lines 48-67; column 8, lines 8-40; the two sending modes correspond to "dialup connection" and "leased-line connection"; the "dialup connection" mode has upper limit of 400x400 dpi of resolution while in "leased-line connection" mode the upper limit is 600x600 dpi of resolution which is different than the "dialup connection" mode).

Having the system of ***Murayama '483*** and then given the well-established teaching of ***Yoshida '315***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Murayama '483*** as taught by ***Yoshida '315***, since ***Yoshida '315*** stated in col. 8, Lines 32-40, such a modification would provide different range of resolutions for different modes of communication so as to have tradeoff between cost and quality.

However Murayama '483 does not disclose wherein the sending mode for sending image data is selected and set from the plural types of sending modes based on sending destination information which is inputted or selected by a user.

Peek '551 discloses wherein the sending mode for sending image data is selected and set from the plural types of sending modes based on sending destination information which is inputted or selected by a user (column 6, lines 1-37).

Having the system of ***Murayama '483*** and then given the well-established teaching of ***Peek '551***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Murayama '483*** as taught by ***Peek '551***, since ***Peek '551*** stated in col. 2, lines 3-14, such a modification would provide capability for both email and facsimile communication based on user entry of information.

Regarding claim 2, Murayama '483 in view of Sugiyama et al '137 further in view of Yoshida '315 further in view of Peek '551 teach all the limitations of claim 1. Further Murayama '483 disclose the image sending method set forth in Claim 1, wherein:
the resolution corresponding to the selected index of the image quality is set by referring to a resolution setting table which indicates correspondence between
i) the index which is a single or plural indices of the image quality common to the plural types of sending modes and
ii) a range of applicable resolutions of each sending mode (column 4, lines 12-55; "standard" "precision" setting and "G4" column 5, lines 59-60, column 6, lines 8-10; G4/Color mode).

Regarding claim 3, Murayama '483 in view of Sugiyama et al '137 further in view of Yoshida '315 further in view of Peek '551 disclose the image sending method set forth in Claim 2, wherein:
the image quality of the image data to be sent is set according to the index which is selected by a user from a plurality of displayed indices (Figure 2, reference 42; column 3, lines 38-44).

Regarding claim 5, Murayama '483 in view of Sugiyama et al '137 further in view of Yoshida '315 further in view of Peek '551 teaches all the limitations of claim 1. Further Murayama '483 disclose the image sending method set forth in Claim 1, wherein:

the image data is processed to match the set resolution (column 5, lines 43-57).

Regarding claim 6 Murayama '483 in view of Sugiyama et al '137 further in view of Yoshida '315 further in view of Peek '551 teaches all the limitations of claim 1. Further Murayama '483 discloses the image sending method set forth Claim 1, wherein: the image data is created by reading an image, so as to match the set resolution (column 2, lines 63-67; column 5, lines 43-49).

Regarding claim 7, Murayama '483 discloses an image sending device comprising:

sending mode setting means for selecting and setting a sending mode for sending image data from plural types of sending modes (column 5, lines 43-67; column 6, lines 1-22; Figure 6, step s23), the plural types of sending modes respectively relating to different transmission protocols (column 5, lines 38-42; column 5, lines 54-57, lines 63-65; column 6, lines 29-31, lines 49-52);

image quality setting means for selecting and setting an index of an image quality for the image data to be sent (column 1, lines 26-39; Quality is related to level of resolution and type of quantization table used for the JPEG protocol. Thus selection of quantization table implies selection of quality for image. Further in column 6, lines 58-

67; column 7, lines 1-11, **index of an image quality selection** can be accomplished using input 42 as shown in Figure 7 for the image transmission. Thus resolution can be selected depending on the **index of an image quality selection** (quantization table) selection as shown in Figure 4 (column 6, lines 15-22, 27-31, 33-41; see steps s31, s32, s34, s35) from plural indices of the image quality common to the plural types of sending modes (Figure 2, shows standard/precision **index of an image quality selection** that is available in both G4 sending mode and color sending mode as shown in Figure 6, wherein in steps s23 when sending mode is G4, the standard or precision **index of an image quality selection** option is available in step s24 and when color sending mode is selected in S23, standard/precision **index of an image quality selection** is also available in step s29); and

resolution setting means for setting a resolution corresponding to the index of the image quality set by said image quality setting means and the sending mode set by said sending mode setting means(In Figure 6, selecting the G4 sending mode in s23 results in two possible resolution (in step s25 and s27) depending on the **index of an image quality selection** in step s24 (column 5, lines 44-46, 51-53; column 6, lines 10-15, 32-35, 40-44, 61-65); selecting the color sending mode results in different resolution selection depending on **index of an image quality selection** in s29 (column 6, lines 7-44; column 4, lines 15-55); column 7, lines 1-11, **index of an image quality selection** can be accomplished using input 42 as shown in Figure 7 for the image transmission; resolution can be selected depending on the image quality (quantization table) selection as shown in Figure 4 (column 6, lines 15-22, 27-31, 33-41; see steps s31, s32, s34,

s35)), wherein the resolution corresponding to the index of the image quality and the sending mode differs from one sending mode to another (in Figure 6 when **sending mode "G4"** is selected in step s23 and "standard" **(index of image quality)** is selected in step s24, the resolution is **200x200** (column 5, lines 43-50); when **sending mode "color"** is selected in step s23 and "standard" **(index of image quality)** is selected in step s29, the resolution is set to **400x400** in step s31 (column 5, lines 65-67; column 6, lines 7-22); thus for a given **index of an image quality selection** such as "standard", resolution differs from G4 sending mode (**200x200**) to color sending mode (**400x400**)) and differs from one index of image quality to another (in figure 6 when sending mode "G4" is selected in step s23, and **quality "Standard" (index of image quality)** is selected in step s24, the resolution is **200x200** and when **quality "Precision" (index of image quality)** is selected in step s24, the resolution is set to **"400x400"** in step s27; (column 5, lines 43-50, 59-65); thus the resolution differs from "Standard" quality to "Precision" quality.). However Murayama '483 does not disclose wherein the resolution corresponding to the index of the image quality and the sending mode differs from one index of the image quality to another in each of the plural types of sending modes.

Sugiyama et al '137 discloses wherein the resolution corresponding to the index of the image quality and the sending mode differs from one index of image quality to another in each of the plural types of sending modes (column 14, lines 54-63; selectable "transmission modes" from "memory transmission mode" and "direct transmission mode"; column 14, lines 64-67; column 15, lines 1-5; column 17, lines 31-55; When "no" in step s1301 (not memory transmission mode which means **direct transmission**

mode), in step 1303, one of standard, fine, or super fine index of image quality is selectable having corresponding resolution value; column 18, lines 9-20; when "yes" in step 1301 (**memory transmission mode**), one of standard, fine index of image quality is selectable having corresponding resolution value; Since the corresponding resolution values are different for each of standard, fine, super fine index of quality (column 15, lines 1-5; 97.79 dpi, 195.58 dpi, and 391.16 dpi), the resolution values are different for each index of image quality in each of the transmission modes (either **direct transmission mode** or **memory transmission mode**)).

Having the system of ***Murayama '483*** and then given the well-established teaching of ***Sugiyama et al '137***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Murayama '483*** as taught by ***Sugiyama et al '137***, since ***Sugiyama et al '137*** stated in column 15, lines 10-20; column 17, lines 42-50, such a modification would provide resolution selection in agreement with the capability of the destination side in different transmission modes.

However Murayama '483 does not discloses wherein the upper limits of resolutions corresponding to the plural types of sending modes vary from one sending mode to another.

Yoshida '315 discloses wherein the upper limits of resolutions corresponding to the plural types of sending modes vary from one sending mode to another (column 7, lines 48-67; column 8, lines 8-40; the two sending modes correspond to "dialup connection" and "leased-line connection"; the "dialup connection" mode has upper limit

of 400x400 dpi of resolution while in "leased-line connection" mode the upper limit is 600x600 dpi of resolution which is different than the "dialup connection" mode).

Having the system of ***Murayama '483*** and then given the well-established teaching of ***Yoshida '315***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Murayama '483*** as taught by ***Yoshida '315***, since ***Yoshida '315*** stated in col. 8, Lines 32-40, such a modification would provide different range of resolutions for different modes of communication so as to have tradeoff between cost and quality.

However Murayama '483 does not disclose input means for enabling a user to input or select sending destination information and wherein said sending mode setting means selects and sets the sending mode based on the sending destination information inputted or selected through the input means.

Peek '551 discloses input means for enabling a user to input or select sending destination information and wherein said sending mode setting means selects and sets the sending mode based on the sending destination information inputted or selected through the input means (column 3, lines 36-46; column 5, lines 22-33; column 6, lines 29-44).

Having the system of ***Murayama '483*** and then given the well-established teaching of ***Peek '551***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Murayama '483*** as taught by ***Peek '551***, since ***Peek '551*** stated in col. 2, lines 3-14, such a modification would

provide capability for both email and facsimile communication based on user entry of information.

Regarding claim 8, Murayama '483 in view of Sugiyama et al '137 further in view of Yoshida '315 further in view of Peek '551 teach all the limitations of claim 7. Further Murayama '483 disclose the image sending device set forth in Claim 7 wherein :
said resolution setting means refers to a resolution setting table which stores a range of applicable resolutions of each sending mode, with a corresponding index which is a single or plural indices of the image quality common to the plural types sending modes (column 4, lines 12-55; "standard" "precision" setting and "G4" column 5, lines 59-60, column 6, lines 8-10; G4/Color mode; "standard" and "precision" is available for both sending mode G4/Color).

Regarding claim 9, Murayama '483 in view of Sugiyama et al '137 further in view of Yoshida '315 further in view of Peek '551 teach all the limitations of claim 8. Further Murayama '483 disclose the image sending device set forth in Claim 8, further comprising:
display means for displaying the plural indices (column 3, lines 38-44; Figure 2, 42a, 42b); and input means for enabling a user to input one of the plural indices (column 3, lines 38-44), wherein: said image quality setting means sets the image quality according to the index which is inputted by the input means (column 5, lines 44-50).

Regarding claim 11, Murayama '483 in view of Sugiyama et al '137 further in view of Yoshida '315 further in view of Peek '551 teaches all the limitations of claim 7.

Further Murayama '483 discloses the image sending device set forth in Claim 7 further comprising:

image data processing means for processing the image data based on the resolution set by said resolution setting means, into a form suitable for the sending mode set by said sending mode setting means (column 5, lines 44-50, column 6, lines 25-31).

Regarding claim 12, Murayama '483 in view of Sugiyama et al '137 further in view of Yoshida '315 further in view of Peek '551 teach all the limitations of claim 7. Further Murayama '483 discloses the image sending device set forth in Claim 7, further comprising:

image reading means for reading an image based on the resolution set by the resolution setting means, so as to create image data (column 2, lines 63-67; column 5, lines 43-49).

Regarding claim 13, Murayama '483 discloses an image sending device comprising:

a sending route setting section for selecting and setting an image sending route from plural image sending routes (column 5, lines 35-67; column 6, lines 1-22; Figure 6, step s23),;

an image quality setting section for selecting and setting an index of an image quality of a sending image (column 1, lines 26-39; Quality is related to level of resolution and type of quantization table used for the JPEG protocol. Thus selection of quantization table implies selection of quality for image. Further in column 6, lines 58-67; column 7, lines

1-11, **index of an image quality selection** can be accomplished using input 42 as shown in Figure 7 for the image transmission. Thus resolution can be selected depending on the **index of an image quality selection** (quantization table) selection as shown in Figure 4 (column 6, lines 15-22, 27-31, 33-41; see steps s31, s32, s34, s35)) from plural indices of the image quality common to the plural image sending routes (Figure 2, shows standard/precision **index of an image quality selection** that is available/common to both G4 sending mode and color sending mode as shown in Figure 6, wherein in steps s23 when sending mode is G4, the standard or precision **index of an image quality selection** is available in step s24 and when color sending mode is selected in S23, standard/precision **index of an image quality selection** is also available in step s29);

a processing contents setting section for setting processing contents which corresponds to the image sending route set by said sending route setting section and the index of the image quality set by said image quality setting section(In Figure 6, selecting the G4 mode in s23 results in two possible resolution (in step s25 and s27) depending on the **index of an image quality selection** in step s24 (column 5, lines 44-46, 51-53; column 6, lines 10-15, 32-35, 40-44, 61-65); selecting the color mode results in different resolution selection depending on **index of an image quality selection** in s29 (column 6, lines 7-44; column 4, lines 15-55);), where the processing contents corresponding to the index of the image quality and the sending route differ from one image sending route to another (in Figure 6 when **sending mode "G4"** is selected in step s23 and "standard" **(index of image quality)** is selected in step s24, the resolution is **200x200**

(column 5, lines 43-50); when **sending mode "color"** is selected in step s23 and "standard" **(index of image quality)** is selected in step s29, the resolution is set to **400x400** in step s31 (column 5, lines 65-67; column 6, lines 7-22); thus for a given quality such as "standard", resolution differs from G4 sending mode (**200x200**) to color sending mode (**400x400**)) and differs from one image quality to another (in figure 6 when sending mode "G4" is selected in step s23, and **quality "Standard"** is selected in step s24, the resolution is **200x200** and when **quality "Precision" (index of image quality)** is selected in step s24, the resolution is set to **"400x400"** in step s27; (column 5, lines 43-50, 59-65); thus the resolution differs from "Standard" quality to "Precision" quality.) ;

an image processing section for processing the image to create the sending image based on the processing contents set by said processing contents setting section (column 2, lines 64-67; column 3, lines 1-9; column 5, lines 54-58; column 6, lines 16-21; processing sections 20 and 22); and

an image sending section for sending the sending image via the image sending route set by said sending route setting section (column 3, lines 10-14; column 5, lines 43-50; column 8-22). However Murayama '483 does not disclose where the processing contents corresponding to the index of the image quality and the sending route differ from one index of the image quality to another in each of the plural image sending routes.

Sugiyama et al '137 discloses where the processing contents corresponding to the index of the image quality and the sending route differ from one index of the image quality to another in each of the plural image sending routes (column 14, lines 54-63; selectable "transmission modes" from "memory transmission mode" and "direct transmission mode"; column 14, lines 64-67; column 15, lines 1-5; column 17, lines 31-55; When "no" in step s1301 (not memory transmission mode which means **direct transmission mode**), in step 1303, one of standard, fine, or super fine index of image quality is selectable having corresponding resolution value (processing contents); column 18, lines 9-20; when "yes" in step 1301 (**memory transmission mode**), one of standard, fine index of image quality is selectable having corresponding resolution value (processing contents); Since the corresponding resolution values (processing contents) are different for each of standard, fine, super fine index of quality (column 15, lines 1-5; 97.79 dpi, 195.58 dpi, and 391.16 dpi), the resolution values are different for each index of image quality in each of the transmission modes (either **direct transmission mode** or **memory transmission mode**)).

Having the system of ***Murayama '483*** and then given the well-established teaching of ***Sugiyama et al '137***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Murayama '483*** as taught by ***Sugiyama et al '137***, since ***Sugiyama et al '137*** stated in column 15, lines 10-20; column 17, lines 42-50, such a modification would provide resolution selection in agreement with the capability of the destination side in different transmission modes.

However Murayama '483 does not disclose wherein the upper limits of processing contents corresponding to the plural image sending routes vary from one image sending route to another.

Yoshida '315 discloses wherein the upper limits of processing contents corresponding to the plural image sending routes vary from one image sending route to another (column 7, lines 48-67; column 8, lines 8-40; the two sending modes correspond to "dialup connection" and "leased-line connection"; the "dialup connection" mode has upper limit of 400x400 dpi of resolution (processing content) while in "leased-line connection" mode the upper limit is 600x600 dpi of resolution which is different than the "dialup connection" mode).

Having the system of ***Murayama '483*** and then given the well-established teaching of ***Yoshida '315***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Murayama '483*** as taught by ***Yoshida '315***, since ***Yoshida '315*** stated in col. 8, Lines 32-40, such a modification would provide different range of resolutions for different modes of communication so as to have tradeoff between cost and quality.

However Murayama '483 does not disclose a sending destination input section for enabling a user to input or select sending destination information;

wherein said sending route setting section selects and sets the image sending route from the plural image sending routes based on the sending destination information inputted or selected through the sending destination input section

Peek '551 discloses sending destination input section for enabling a user to input or select sending destination information and wherein said sending route setting section selects and sets the sending route from the plural image sending routes based on the sending destination information inputted or selected through the sending destination input section (column 3, lines 36-46; column 5, lines 22-33; column 6, lines 29-44).

Having the system of ***Murayama '483*** and then given the well-established teaching of ***Peek '551***, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the system of ***Murayama '483*** as taught by ***Peek '551***, since ***Peek '551*** stated in col. 2, lines 3-14, such a modification would provide capability for both email and facsimile communication based on user entry of information.

Regarding claim 14, Murayama '483 in view of Sugiyama et al '137 further in view of Yoshida '315 further in view of Peek '551 teaches all the limitations of claim 13. Further Murayama '483 discloses the image sending device set forth in Claim 13, wherein: the image quality set by said image quality setting section is commonly used for the plural image sending routes (Figure 6, in s24 for G4 mode and in s29 for color mode, they both have selection for “standard” and “precision”).

Regarding claim 15, Murayama '483 in view of Sugiyama et al '137 further in view of Yoshida '315 further in view of Peek '551 teaches all the limitations of claim 14. Further Murayama '483 discloses the image sending device set forth in Claim 14, further comprising:

a storage section for storing a processing contents setting table which stores processing contents corresponding to each of the plural image sending routes and the image quality (column 4, lines 3-42).

Regarding claim 16, Murayama '483 in view of Sugiyama et al '137 further in view of Yoshida '315 further in view of Peek '551 teaches all the limitations of claim 15. Further Murayama '483 disclose the image sending device set forth in Claim 15, further comprising: a display section for displaying the image quality which exists as plural image qualities (column 3, lines 38-44; Figure 2, 42a, 42b); and an input section for enabling a user to input one of the plural image qualities (column 3, lines 38-44), wherein: said image quality setting section selects and sets the image quality inputted through the input section (column 5, lines 44-50).

Regarding claim 18, Murayama '483 in view of Sugiyama et al '137 further in view of Yoshida '315 further in view of Peek '551 teaches all the limitations of claim 1. Further Murayama '483 discloses the image sending method set forth in claim 1, wherein the plural types of sending modes include at least one of a facsimile mode, a scan to email mode, and a scan to FTP mode (column 2, lines 52-55).

Regarding claim 19, Murayama '483 in view of Sugiyama et al '137 further in view of Yoshida '315 further in view of Peek '551 teaches all the limitations of claim 7. Further Murayama '483 discloses the image sending device set forth in claim 7, wherein the plural types of sending modes include at least one of a facsimile mode, a scan to email mode, and a scan to FTP mode (column 2, lines 52-55).

Regarding claim 20, Murayama '483 in view of Sugiyama et al '137 further in view of Yoshida '315 further in view of Peek '551 teaches all the limitations of claim 13. Further Murayama '483 discloses the image sending device set forth in claim 13, wherein the plural image sending routes include at least one of a telephone line, the Internet, an intranet, an extranet, CON, COM, LAN, ISDN, VAN, CATV, VPN, a telephone line network, a mobile network, and a satellite network (column 4, lines 61-64).

Other Prior Art Cited

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent Application Publication No. US 2004/0114804 A1 to Tanioka discloses image processor.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BENIYAM MENBERU whose telephone number is (571) 272-7465. The examiner can normally be reached on 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (571) 272-2600. The group receptionist number for TC 2600 is (571) 272-2600.

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